

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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LUCIO REYES HERNANDEZ AND  
ONIS MENDEZ, INDIVIDUALLY AND  
ON BEHALF OF ALL OTHER COLLECTIVE  
PERSONS SIMILARLY SITUATED,

Plaintiffs,

JUDGMENT  
18-CV-00375 (ARR) (RER)

v.

DELTA DELI MARKET INC. (D/B/A DELTA  
DELI MARKET), 1060 FLATBUSH DELI  
MARKET, INC. (D/B/A DELTA DELI MARKET),  
1060 FLATBUSH SUPERMARKET CORP.  
(D/B/A DELTA DELI MARKET), AZIDEN M  
ALMONTESAR, MOHAMED S HADI,  
MOHAMED N AROHANY, AND  
MOHAMMAD HIDE,

Defendants.

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An Order of Honorable Allyne R. Ross, United States District Judge, having been filed on March 4, 2019, adopting the Report and Recommendation of Magistrate Judge Ramon E. Reyes, dated February 12, 2019, which recommended the following: the Court grant in part and deny in part Plaintiffs' motion for default judgment; that the motion be granted as to Reyes's claims against Delta Deli for violations of the FLSA and the NYLL from January 18, 2012 through June 29, 2016; that all other claims be dismissed without prejudice; that Plaintiff be awarded \$136,605.44 in damages, consisting of \$15,243.83 in unpaid minimum wages, \$39,285.39 in unpaid overtime compensation, \$11,273.50 in spread of hours compensation, \$65,802.72 in liquidated damages, and \$5,000 in statutory damages, plus pre- and post-judgment interest; that Reyes be awarded attorneys' fees and costs in the amount of \$3,027.60; and the Clerk of Court having calculated the prejudgment interest on the total unpaid wages (\$65,802.72)

at the rate of 9% per annum from January 18, 2015 until entry of judgment, and the prejudgment interest being \$24,451.57; it is

ORDERED and ADJUDGED that the Plaintiffs' motion for default judgment is granted in part, and denied in part; that motion is granted as to Reyes's claims against Delta Deli for violations of the FLSA and the NYLL from January 18, 2012 through June 29, 2016; that all other claims are dismissed without prejudice; and that Plaintiff Reyes is awarded a total amount of \$164,084.61 plus post-judgment interest pursuant to 28 U.S.C. Section 1961(a).

Dated: Brooklyn, NY  
March 5, 2019

Douglas C. Palmer  
Clerk of Court

By: /s/Jalitza Poveda  
Deputy Clerk